

**CA-NEV Tahoe Basin Fire Commission  
Community Fire Safety Committee Meeting Minutes  
January 14, 2008  
Sierra Nevada College, Incline Village NV**

**1. Call to Order**

Committee Chairperson Ruben Grijalva called meeting to order at 9:07 am.

Roll Call taken

Members present:

Ruben Grijalva, Chair, California. Dept. of Forestry & Fire Protection (Cal Fire)

Bob Davidson, Vice-Chair, Lake Tahoe Basin Homeowner

Bud Hicks, Glenbrook Homeowners Association

Ron McIntyre, North Lake Tahoe Resort Association

Jeff Michael, Lake Valley Fire Protection District

John Pickett, Nevada Fire Safe Council

James Wright, State of Nevada Fire Marshal

Jane Schmidt, Natural Resources Conservation Service (arrived at 9:17am)

Ex-officio members present:

Kit Bailey, USFS

Ed Smith, University of Nevada Cooperative Extension

Absent members:

Leo Drozdoff, Nevada Division of Environmental Protection

John Koster, Harrah's

Cindy Tuck, California Environmental Protection Agency

Review and approval of minutes (action):

Motion to approve given by Bob Davidson, 2<sup>nd</sup> by Bud Hicks.

Vote taken. All approved.

Committee chair reviewed January 14, 2008 agenda.

Changes were made to items #2, #3 and #6, as noted.

**2. Review of actions previous actions taken:**

Joe Millar, USFS unable to attend and make presentation due to illness. USFS has scheduled time for presentation on next agenda.

Review actions taken to date. Members can discuss and take further actions on October 11, 2007 meeting.

**3. Defensible Space:**

Presentation by Ed Smith on Defensible Space

Presentation by John Pickett on alternatives for first 30' around homes in Tahoe Basin.

John Pickett's declines giving presentation. He refers presentation to Ed Smith.

Ed Smith not prepared for presentation but will update committee with what he knows.

**4. Make Findings and Recommendations. (Discussion)**

**5. Findings and Recommendations Discussion (Action)**

**6. Presentation: California's Wildland Urban Interface Building Standards (Discussion)**

Ruben Grijalva will make presentation on new building code standards instead of State Fire Marshal.

7. Open time for other topics to discuss
8. Findings and Recommendations (Discussion)
9. Public Comments
10. Findings and Recommendations (Action)

Committee Chair Ruben Grijalva states that staff of commission required agenda for January 24, 2008 be submitted prior to this meeting to meet legal requirements.

Commission will allow non-committee and non-commission members to make recommendations and findings. Recommendations and findings are to be presented to committees before the commission. Nine (9) recommendations submitted already. One of nine (9) recommendations was appropriate for this committee to review and is on the next agenda.

Committee chairs and Commission staff to start conference calls to ensure committees stay in sync and do not overlap each other. Staff will put in writing what charge was given to committees. Committees, however, may choose to overlap and discuss finding and recommendations from other committees.

Brief review of agenda for January 24, 2008

Staff is recommending that committee take on Finding and Recommendation #9 by the Lake Tahoe Basin Fire Chiefs. Findings and Recommendations on agenda for next committee meeting.

Lake Tahoe Basin Fire Chiefs are scheduled for a presentation on that at next committee meeting.

Time scheduled after for Forest Service, Cal Fire and other stake holders to discuss.

Time open in afternoon to review all findings and recommendations that have been submitted.

These are to be coordinated with the other two (2) committees.

Ruben Grijalva names the three (3) committees:  
Emergency Declaration Committee (name probably to change)  
Wildland Fuels Committee  
Community Fire Safe Committee

Findings and Recommendations by the non-committee and non-commission members will be discussed.

Any comments and/or concerns regarding today's agenda-None

## 2. Review of previous actions taken

The following were reviewed before the committee from the previous meeting:

Three Findings were formalized:

1. The committee recommends that the commission finds that the messages that have been given, a compromise between BNP's and defensible space, is confusing to homeowners.

2. Committee recommends that commission finds that overlapping federal, state, and local regulatory bodies have led to regulatory uncertainty in the Lake Tahoe Basin. The result has been inadequate defensible space posing a fire risk on many public and private lands.

3. Committee recommends that the commission finds that overlapping federal, state, and local regulations have resulted in increased costs and delays in implementation of fuel treatments in the Lake Tahoe Basin.

Ruben Grijalva reads the Recommendations:

1. The committee shall request that the full commission adopt and recommend to the governors that they adopt the priorities of life, property, and the environment, in that order, with respect to fire safety, fire prevention, and such other matters within the jurisdiction of the commission
2. That fire protection experts including fire chiefs and any related experts in the Tahoe basin establish and implement a basin wide fire protection standard of defensible space similar to 4291 standard once adopted to be free from regulatory penalty once established.
3. That environmental experts recommend appropriate ignition resistant ground cover that meets the fire protection experts' standard for fuel removal and/or is fire ignition resistant cover that they would approve.
4. It is imperative that all agencies develop a basin wide collaborative effort in setting priorities with strategic fuel reduction projects making sure that the projects are complimentary to each other and the projects are based upon threats, values and risks.
5. The commission recommends that all requirements for permits in the WUI be eliminated and that the fuels treatments proposed are performed with life, safety, property, and environment as the basis and findings for these said treatments.
6. CAL FIRE to evaluate taking back its direct protection responsibilities in the Tahoe Basin including an analysis of the need for chief officers, engines, fire crews, dozers, aircraft, and fire prevention staff.
7. Ask the US Forest service to consider how they might make their response times more equal without degrading their services and report back to the committee

Recommendation #5 Permit Streamlining:

Discussion was on streamlining the permit process including CEQA and NEPA requirements, processes and meeting State and Federal requirements.

Defensible space:

Discussion was on ground cover defensible space questions and what is acceptable with TRPA and fire chiefs. Multiple alternatives have been given to TRPA and Fire Chiefs to discuss and bring forward with findings. Issues also revolve around tree diameters, permits, lake front property, scenic routes, as well as 2nd home owners not maintaining their properties.

Improved and Vacant lots:

Discussion was on the statue of law and who could approve inspection of properties. A hand out was given by Duane Shintaku on Professional Foresters Law 754-Definition of Forested Landscape CFSC#022.

Recommendation #8 Balance of acreage

Ron McIntyre brought up the issue of inconsistencies between Recommendations #8 & #9. If CAL FIRE does not accept challenge in coming back to basin, Forest Service should be requested to provide the same service. There are concerns regarding California Budget allowing Cal Fire to come in on a 24/7 basis with proper equipment to handle area.

Per Kit Bailey, in agreement with Cal Fire, the Forest Service can not exceed their authority. They would have to change their mission statement and review their personnel and budget management programs to implement this type of change.

Discussion of this item deferred until next meeting.

Recommendation #5

Decision was made to substitute language to Recommendation #5:

The committee recommends that all requirements for permits in the WUI in the Lake Tahoe Basin be eliminated. Further recommend that NEPA and/or CEQA permits would suffice in meeting or exceeding all permit requirements.

Motion made by Bob Davidson. 2nd by Kit Bailey. All approved.

It was recommended by Committee Chair Ruben Grijalva and Bob Davidson that the amended recommendation be forwarded to the Wildland Fuels Committee and the Permit Streamlining Working Group to prevent redundancy and to streamline the process.

**3. Defensible Space**

Ed Smith "*Living with Fire*" and its purpose CFSC#021-Power Point Presentation

It is the homeowner's responsibility to keep defensible space around their home. Listed the challenges involved in the Tahoe Basin due to absentee owners, confusion and mixed messages, and education not a priority.

Recommendations on defensible space: Maintain a consistent message, uniform, Basin- wide recommendation, interagency effort promotion the same concepts, integrated materials, and one on one contact with FPD/FD, campaign coordinator position, and preparing for the long haul.

Request by Jane Schmidt that the delivery of fire defensible space programs brought to homeowners be on the commission's agenda to discuss.

Bud Hicks to work on language on funding for education programs on defensible space.

**Lunch break at 1155 Reconvene at 1320**

Bob Davidson and Jane Schmidt did not return after lunch break.

#### 4. Finding & Recommendations

Finding: A comprehensive wildfire fire protection education framework "*Living with Fire*" currently exists in the Tahoe Basin.

Motion to approve made by Bud Hicks. 2<sup>nd</sup> by Kit Bailey. All approved.

Recommendation: Support and enhance this valuable fire prevention education program and develop permanent and stable funding sources for prolonged program services.

Motion made by Bud Hicks to adopt. 2<sup>nd</sup> by Jim Wright. All approved

#### 5. Finding & Recommendations

John Pickett presents finding on wildland lots.

Finding: Undeveloped lots within the Wildland Urban Interface can support wildland fire within the urban cores of Lake Tahoe communities. The Fire Services of the Lake Tahoe Basin have identified undeveloped lots within urban areas as a significant hazard to life safety and property. Currently under California Public Resource Code, Professional Foresters Licensing Law, the fire services cannot consult with property owners about mitigating the fire hazard posed by undeveloped urban lots without employing the services of a California Registered Professional Forester.

There is currently a scarcity of Registered Professional Foresters in the Lake Tahoe Basin and the work of marking trees on small undeveloped urban lots does not fit the typical work that Registered Professional Foresters desire. The net result of the California Public Resource Code's requirement that Registered Professional Foresters consult with landowners about fuel loading on small undeveloped urban lots has resulted in a lack of fuels reduction work taking place on those lots and this results in an unsafe condition within urban areas.

Motion made by Bud Hicks to accept finding. 2<sup>nd</sup> by Ron McIntyre.

Discussion regarding the above finding brought out concerns about definition of forest landscape and regulatory change and/or interpretation. Also suggested to refer to definition of timber operations. Can clearing be done without permit and without high cost to landowner?

Request by Ruben Grijalva to table or continue with motion. Opposition to continue working on motion voiced by Ruben Grijalva. More information is needed by working group before decision can be made to adopt finding and work on recommendation. All committee members agree. Motion carried.

#### 6. California's Wildland Urban Interface Building Standards

Ruben Grijalva "*Wildland Urban Interface Standards*" Power Point Presentation

Discussions involving retrofitting or cedar shake roofs, trek standards, new construction, and incentives. New technology was being driven to facilitate changes and have new products available. It is believed that the market will drive demand and products to new standard. Hearing brought up suggestion of incentives or grants to encourage retrofit of existing buildings.

**7. Open time for other topics to discuss**  
No items discussed.

**8. Findings & Recommendations**

Suggestion made by Jim Wright to have a finding and recommendation to recognize Fire Safe Council as a valuable support program. To be worked on and presented at a future meeting. This was agreed on by committee.

Review by Committee Chair Ruben Grijalva of process of how Findings and Recommendations make their way through the staff, working groups and committees. Commission makes decision on presented findings and recommendations that then goes into report to governors.

**9. Public comment**

Steven Kennedy, producer of The Cannonball Express

He is seeking guidance for his list of findings and recommendations on his outreach video.

Decided he needs to follow protocol and submit his Findings & Recommendations to Dana Cole.

Video handed out to Ruben Grijalva, Jim Wright and Ron McIntyre.

**10. Findings & Recommendations**

Future agenda items:

Request by Chief Whitelaw to review substandard private and public water systems. He would like to see a presentation on the role that water purveyors play in the communities of Lake Tahoe. He recommends that a representative of the Association of Water Purveyors be present at a meeting. Associations of water purveyors contact information to be given to Ruben Grijalva by Chief Whitelaw for contact purposes.

Action item for Ruben Grijalva:

Bud Hicks asks for a compilation of things that other communities with similar experiences have done in regards to local ordinances, laws, etc and present it before the committee. Mr. Grijalva will check with Secretary of State for Finding of Facts, as well as with Cal Chief's network.

Ed Smith

Do we want to put on agenda the conclusion of the 5-30 ft ground cover discussion on what the final decision between Fire Chiefs and TRPA? Mr. Grijalva expects them to come in as formal recommendations.

**Meeting adjourned 1452.**